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Attorney for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JOHN MITCHELL

Plaintiff,

v.

UNITED STATES OF AMERICA, *et al.*

Defendants.

Case No. 3:05-cv-00264-JWS

**SCHEDULING AND PLANNING  
CONFERENCE REPORT**

1. **Meeting.** In accordance with F.R.Civ.P. 26(f), a telephonic conference was held on February 3, 2006, and was attended by:

Joe P. Josephson, attorney for the Plaintiff.

Richard L. Pomeroy, attorney for the Defendants.

The parties recommend the following:

## 2. Pretrial Motions.

Defendant has raised jurisdictional defenses to the causes of action raised by Plaintiff. The parties propose that Defendants shall file a motion for summary judgment no later than March 10, 2006. The Court's ruling on that motion will either completely resolve the case or narrow the scope of the issues for later determination at trial.

If the Court's ruling on the summary judgment motion does not completely resolve this case, the parties would file a scheduling and planning report 21 days after the court issues its order on the summary judgment motion.

The parties anticipate that this approach is the most efficient for the parties and the Court.

Dated: February 14, 2006 JOSEPHSON & ASSOCIATES, PC

s/Joe P. Josephson (consent)  
Attorney for Plaintiff

Dated: February 14, 2006 DEBORAH M. SMITH  
ACTING UNITED STATES ATTORNEY

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